



Our Ref: 192 / 193 / 194.2018-19

Your Ref:

Date: 14 June 2018

Civil Disclosure
Joint Corporate Legal Services

Connor A. Gurney
request-485220-4d6a6b6d@whatdotheyknow.com
request-485221-19e19cf5@whatdotheyknow.com
request-485223-bc0eef37@whatdotheyknow.com

Dear Connor,

FREEDOM OF INFORMATION REQUEST REF NO: 192 / 193 / 194.2018-19

I write in connection with your requests for information which were received by North Yorkshire Police on 16 May 2018. I note you seek access to the following information:

192.2018-19

Please provide me with a copy of the York & North Yorkshire Media Response Plan for use during major incidents. This document is referenced in the City of York Council's Flood Defence Emergency Response Plan.

193.2018-19

Please provide any policy or procedure to which your officers are expected to adhere when responding to a situation where a member of the public has exercised powers of arrest conferred under Section 24a of the Police and Criminal Evidence Act 1984 as amended by Section 110 of the Serious Organised Crime and Police Act 2005.

194.2018-19

Please provide the following:

- a) any policies and/or procedures relating to the use of the Airwave system by Police officers;*
- b) any policies and/or procedures relating to stopping members of the public for being in possession of a TETRA handheld terminal in a public place; and*
- c) any training materials used to teach officers how to use the Airwave system*

Decision

Pursuant to the provisions of Section 14 of the Freedom of Information Act 2000 (the Act) I have decided to refuse your requests, as they have been deemed 'vexatious'. Section 1(1) does not oblige a public authority to comply with a request for information if the request is vexatious, and no public interest test is required.

Reasons For Decision

The Freedom of Information (FOI) Act allows individuals to have a greater right of access to official information in order to gain transparency and accountability from public bodies. The expectation is that individuals will use this right responsibly and proportionately.

Section 14(1) applies to your requests, as they are frequent and overlapping. On 16 May 2018, North Yorkshire Police (NYP) received three FOI requests from you within 6 minutes.

Each request was different, did not indicate a specific direction or focus, and seemed to be designed for the purpose of fishing for information.

Since 1 April 2018 alone, NYP have received 301 FOI requests. Overall, the Civil Disclosure department is currently processing 174 requests in addition to our other areas of disclosure work. NYP have a legal obligation to respond to all FOI requests within 20 working days, therefore to respond fully to each of your requests would take a disproportionate amount of time, and would impact on responding to other requests for information in the required time. This is an added unjustified pressure to an already large workload.

If you have a specific area of interest that you wish NYP to research, and it is a reasonable and valid request for information, please do not hesitate to contact me. However I must advise that we will not answer any of the above requests for the reasons given.

Pursuant to Section 17(5) of the Freedom of Information Act this letter acts as a Refusal Notice.

Complaint Rights

Your attention is drawn to the attached sheet which details your right of complaint.

If you have any queries concerning this request, please contact me quoting the reference number above.

Yours sincerely

Liz Fryar
Legal Officer (Civil Disclosure)
Joint Corporate Legal Services
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COMPLAINT RIGHTS

Are you unhappy with how your request has been handled or do you think the decision is incorrect?

You have the right to require the North Yorkshire Police to review their decision.

Prior to lodging a formal complaint you are welcome and encouraged to discuss the decision with the case officer that dealt with your request.

Ask to have the decision looked at again –

The quickest and easiest way to have the decision looked at again is to telephone the case officer that is nominated at the end of your decision letter.

That person will be able to discuss the decision, explain any issues and assist with any problems.

Complaint

If you are dissatisfied with the handling procedures or the decision North Yorkshire Police made under the Freedom of Information Act 2000 (the Act) regarding access to information you can lodge a complaint with North Yorkshire Police to have the decision reviewed. North Yorkshire Police must be notified of your intention to complain within 2 months of the date of its response to your Freedom of Information request. Complaints should be made in writing and addressed to:

Force Solicitor and Head of Legal Services
North Yorkshire Police
Alverton Court
Crosby Road
Northallerton
North Yorkshire
DL6 1BF

In all possible circumstances North Yorkshire Police will aim to respond to your complaint as soon as practicable but within 20 working days.

The Information Commissioner

After lodging a complaint with the North Yorkshire Police if you are still dissatisfied with the decision you may make application to the Information Commissioner for a decision on whether the request for information has been dealt with in accordance with the requirements of the Act.

For information on how to make application to the Information Commissioner please visit their website at www.informationcommissioner.gov.uk. Alternatively, phone or write to:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF
Phone: 01625 545 700